Final arguments remain

Bribery trial nears end

9-22-73 S-I

By ALLAN KATZ

The jury in the five-week-old pinball trial will soon face the moment of decision when it must decide the guilt or innocence of Dist. Atty. Jim Garrison and pinball executives John Aruns Callery and Robert Nims.

After five weeks of trial, all that remains are final arguments, the charge to the jury by U.S. Dist. Court Judge Herbert W. Christenberry and a decision on the fate of the three co-defendants by the nine-man, three-woman jury.

Garrison, Callery and Nims are accused of having conspired to receive and give bribes to protect pinball gambling in New Orleans during 1970-71.

The final days of testimony Thursday and yesterday provided dramatic high points in the lengthy trial.

Pershing Gervais, who worked as a government undercover agent gathering evidence against Garrison and the others, was a surprise witness for the prosecution.

Gervais had first refused to testify for either side in the case but changed his mind when Garrison, acting as his own counsel, put witnesses on the stand who attacked Gervais' character.

Gervais came to New Orleans from Brookhaven, Miss., where he now resides, and told the jury he had given $4,000 in bribe money to Garrison while acting as a go-between for the pinball industry.

Although the jury had heard tapes of the alleged transaction, Gervais was the only government witness who testified he had seen Garrison take the money.

But Garrison retaliated on Friday by putting on the stand Guy Johnson, a veteran New Orleans trial lawyer who served as counsel for a former defendant in the case who earlier pleaded guilty.

Johnson testified that Gervais had offered to perjure himself to clear the defendants in exchange for money and had promised he would help whichever side offered the most.

A key factor in the trial may turn out to be whether Gervais was a credible witness in the jury's eyes or

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whether defense testimony about him, particularly Johnson's, destroys Gervais' believability.

Courtroom observers will also be listening closely to Judge Christenberry's charge to the jury which will tell the panel on what key points they must decide the guilt or innocence of the accused.

Final arguments will get under way at 10 a.m. Monday with U.S. Atty. Gerald J. Gallinghouse expected to represent the government, Virgil Wheeler representing Callery, Louis Lacour Jr. representing Nims and Garrison representing himself.

Garrison did not take the stand in his own behalf during the trial nor did Cailery or Nims.